

William C. Rand, Esq.
LAW OFFICE OF WILLIAM COUDERT RAND
711 Third Ave., Suite 1505
New York, New York 10017
(Phone) (212) 286-1425; (Fax)(212) 599-7909
Attorneys for Defendant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- :
PAUL RESIKA, MICHAEL STEINER, GIORGIO :
CAVALLON FAMILY LIMITED PARTNERSHIP, :
DOLORES T. HILDING, GEORGE MCNEIL :
CHARITABLE TRUST, and HELEN MCNEIL, :
ECF
07 Civ. 9668 (SHS)

Plaintiffs, :

- against - :

BENUCCI S.r.l., :

Defendant. :
----- :

NOTICE OF MOTION TO DISMISS FRAUDULENT CONVEYANCE CLAIM

PLEASE TAKE NOTICE that upon the accompanying (a) memorandum of law of Defendant, (b) the declaration of Defendant's counsel, William C. Rand, Esq., and the exhibits attached thereto, and (c) all pleadings filed herein, a motion to dismiss Plaintiffs' fraudulent conveyance claims under Section 276 of the New York Debtor and Creditor Law pursuant to Rule 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure, will be made by Defendant on a date to be set by the Court before the Honorable Sydney H. Stein at the United States Courthouse, 500 Pearl Street, New York, New York, 10007-1312.

Dated: New York, New York
March 7, 2007

LAW OFFICE OF WILLIAM COUDERT RAND

s/William C. Rand

William Coudert Rand, Esq.
711 Third Avenue, Suite 1505
New York, New York 10017
Tel: (212) 286-1425
Attorney for Defendant Benucci S.R.L.

To: The Koegel Group LLP
Attorneys for Plaintiffs
161 Avenue of the Americas
New York, New York 10013